

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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EARL D. PHIFFER,

Petitioner,

v.

JON NOBLE,

Respondent.

ORDER

Case No. 25-cv-236-jdp

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Petitioner Earl D. Phiffer seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has submitted a motion for leave to proceed without prepayment of the filing fee. (Dkt. # 2). The court cannot consider this motion, however, because it lacks supporting documentation regarding petitioner's eligibility for indigent status. Petitioner has submitted several monthly account statements from prior years to support this request. These statements are insufficient to determine whether plaintiff qualifies for indigent status.

For this case to move forward, petitioner must either pay the \$5 filing fee or submit a certified inmate trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of this habeas corpus petition. If petitioner does not submit either the \$5 filing fee or a trust fund account statement before April 21, 2025, the court will assume that petitioner wishes to withdraw this action voluntarily and will dismiss the petition.

ORDER

IT IS ORDERED that:

1. The motion for leave to proceed without prepayment of the filing fee (Dkt. # 2) is DENIED at this time.
2. No later than April 21, 2025, petitioner Earl D. Phiffer shall pay the \$5 filing fee or submit a certified copy of petitioner's inmate trust fund account statement for the six-month period from the date of the habeas petition (September 28, 2024 through at least March 28, 2025).
3. If petitioner fails to pay the \$5 filing fee, comply as directed, or show cause for failure to do so, the court will assume the petitioner wishes to withdraw this petition.

Entered this 28th day of March, 2025.

BY THE COURT:

/s/  
ANDREW R. WISEMAN  
United States Magistrate Judge